

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

ROBERT MARTINEZ,

Plaintiff,

v.

MARTIN O'MALLEY, COMMISSIONER
OF THE SOCIAL SECURITY
ADMINISTRATION,

Defendant.

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1:24-CV-369-RP-SH

ORDER

Before the Court is the report and recommendation from United States Magistrate Judge Susan Hightower concerning Plaintiff's Motion for Attorney's Fees, (Dkt. 13). (R. & R., Dkt. 15). Pursuant to 28 U.S.C. § 636(b) and Rule 1(d) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas, Judge Hightower issued her report and recommendation on September 16, 2024. (*Id.*) As of the date of this order, no party has filed objections to the report and recommendation.

Pursuant to 28 U.S.C. § 636(b), a party may serve and file specific, written objections to a magistrate judge's proposed findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure de novo review by the district court. When no objections are timely filed, a district court can review the magistrate's report and recommendation for clear error. *See* Fed. R. Civ. P. 72 advisory committee's note ("When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.").

Because no party has filed timely objections, the Court reviews the report and recommendation for clear error. Having done so and finding no clear error, the Court accepts and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the Report and Recommendation of the United States Magistrate Judge, (Dkt. 15), is **ADOPTED**. Plaintiff's Unopposed Application for Attorney's Fees Under the Equal Access to Justice Act, (Dkt. 13), is **GRANTED. IT IS FURTHER ORDERED** that the Commissioner of the Social Security Administration shall remit to Plaintiff's counsel a check made payable to "Robert Martinez" for attorney's fees in the amount of \$7,901.25, pursuant to 28 U.S.C. § 2412(d)(1)(A). The check may be mailed to Plaintiff's counsel, at Jennifer Dunn, Dunn Law, PPC, 890 Winter Street, Suite 230, Waltham, MA 02451.

SIGNED on October 1, 2024.

A handwritten signature in blue ink, appearing to read "Robert Pitman", written over a horizontal line.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE